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## City of Pooler Police Department

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November 22<sup>nd</sup>, 2019

Dave Maass  
MuckRock News  
DEPT MR 83192  
411A Highland Ave  
Somerville, MA 02144-2516

Reference: Open Records Request

Dear Mr. Maass:

The following is in response to your Open Records Request received by the Pooler Police Department.

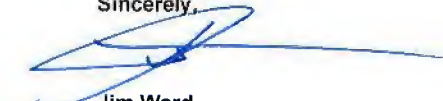
For explanation purposes only, your Open Records has been divided into separate categories. The first category is your request for a report containing the names of agencies in which the Automated License Plate Recognition system used by The Pooler Police Department shares "information" and "hot list." This is listed as items 1-4 on your request. We expect to exempt this information in accordance with OCGA 50-18-72 (j) and OCGA 35-1-22 (f). Per OCGA 50-18-72 (j), "No public officer or agency shall be required to prepare new reports, summaries, or compilations not in existence at the time of the request."

The second category is the aggregate number of "hits" and "detections" for calendar years 2016-2018. This is listed as items 5-10 on your request. According to OCGA 50-18-72 (a), "All public records shall be open for personal inspection and copying, except those which by order of a court of this state or by law are specifically exempted from disclosure." Public disclosure of license plate data is regulated by OCGA 35-1-22. Subsection (2) of this code section defines captured license plate data as "the global positioning device coordinates, date and time, photograph, license plate number, and any other data captured by or derived from an automated license plate recognition system or any other source." Subsection (f) of this same code section explains that license plate data is not subject to public disclosure; "OCGA 35-1-22 (f) Captured license plate data collected by a law enforcement agency shall not be subject to public disclosure pursuant to Article 4 of Chapter 18 of Title 50."

Additionally, subsection (d) (1) of this code section identifies the penalties for purposes other than for a law enforcement purpose as follows: "Any person who knowingly requests, uses, obtains, or attempts to obtain captured license plate data of a law enforcement agency under false pretenses or for any purpose other than for a law enforcement purpose shall for each such offense, upon conviction thereof, be guilty of a misdemeanor of a high and aggravated nature."

Any questions please contact Jim Ward (912)330-8602 or [jward@pooler-ga.gov](mailto:jward@pooler-ga.gov).

Sincerely,



Jim Ward  
City of Pooler Police Department